

CALIFORNIA BOARD OF OCCUPATIONAL THERAPY
PROPOSED REGULATIONS – MODIFIED TEXT
Title 16, Division 39, California Code of Regulations

Underlined text is originally proposed new language. Double underlined text is modified text.

Article 6. Advanced Practices

§ 4150. Definitions

For the purpose of this article:

- (a) “ACOTE” means the Accreditation Council of Occupational Therapy Education.
- (b) “Post professional education and training” means education and training obtained subsequent to the qualifying degree program or beyond current ACOTE standards for the qualifying degree program.
- (c) “Contact hour” means fifty (50) minutes of coursework or classroom instruction.
- (d) “Semester unit” means fifteen (15) contact hours.
- (e) “Quarter unit” means ten (10) contact hours.
- (f) “Rehabilitation of the hand, wrist, and forearm” as used in Code section 2570.2(l) refers to occupational therapy services performed as a result of surgery or injury to the hand, wrist, or forearm.
- (g) “Swallowing” as used in Code section 2570.3 is the passage of food, liquid, or medication through the pharyngeal and esophageal phases of the swallowing process.
- (h) “Instrumental evaluation” is the assessment of any aspect of swallowing using imaging studies that include, but are not limited to, endoscopy and videofluoroscopy.
 - (1) “Endoscopic evaluation of swallowing” or “endoscopy” is the process of observing structures and function of the swallowing mechanism to include the nasopharynx, oropharynx, and hypopharynx.
 - (2) “Videofluoroscopic swallowing study” or “videofloroscopy” is the fluoroscopic recording and videotaping of the anatomy and physiology of the oral cavity, pharynx, and upper esophagus using a variety of bolus consistencies to assess swallowing function. This procedure ~~is also~~ may also be known as videofluorography, modified barium study, oral-pharyngeal motility study and videoradiography.

§ 4151. Hand Therapy

- (a) Hand therapy services may be performed only when an occupational therapist has demonstrated to the Board that he or she has met the post professional education and training requirements established by this section as follows:
 - (1) Education: Completion of 45 contact hours in the subjects listed in Code section 2570.3(e).
 - (2) Training: Completion of 480 hours of supervised on the job training, clinical internship or affiliation, which may be paid or voluntary, pertaining to hand therapy.
- (b) An occupational therapist providing hand therapy services using physical agent modalities must also comply with the requirements of section 4152. A maximum

of 8 contact hours and 60 hours of supervised on the job training, clinical internship or affiliation, paid or voluntary, completed under section 4152 will be credited toward the requirements of this section.

- (c) An occupational therapist may provide only those hand therapy services he or she is competent to perform.

§ 4152. Physical Agent Modalities

- (a) Physical agent modalities may be used only when an occupational therapist has demonstrated to the Board that he or she has met the post professional education and training requirements established by this section as follows:

- (1) Education: Completion of 30 contact hours in the subjects listed in Code section 2570.3(f).
- (2) Training: Completion of 240 hours of supervised on the job training, clinical internship or affiliation, which may be paid or voluntary, pertaining to physical agent modalities.

- (b) An occupational therapist may use only those physical agent modalities he or she is competent to use.

§ 4153. Swallowing Assessment, Evaluation, or Intervention

- (a) The role of an occupational therapist in instrumental evaluations is to observe structure and function of the swallowing mechanism in order to assess swallowing capability and determine swallowing interventions. The occupational therapist may not perform the physically invasive components of the instrumental evaluation.

- (b) Swallowing assessment, evaluation or intervention may be performed only when an occupational therapist has demonstrated to the Board that he or she has met the post professional education and training requirements established by this section as follows:

- (1) Education: Completion of 45 contact hours in the following subjects:
 - (A) Anatomy, physiology and neurophysiology of the head and neck with focus on the structure and function of the aerodigestive tract;
 - (B) The effect of pathology on the structures and functions of the aerodigestive tract including medical interventions and nutritional intake methods used with patients with swallowing problems;
 - (C) Interventions used to improve pharyngeal swallowing function.
- (2) Training: Completion of 240 hours of supervised on the job training, clinical internship or affiliation, which may be paid or voluntary, pertaining to swallowing assessment, evaluation or intervention. An occupational therapist in the process of completing the training requirements of this section may practice swallowing assessment, evaluation or intervention under the supervision of an occupational therapist who has been certified under this article, a speech language pathologist and audiologist with expertise in this area, or a physician and surgeon.

- (c) An occupational therapist may provide only those swallowing assessment, evaluation or intervention services he or she is competent to perform.

§ 4154. Post Professional Education and Training

- (a) Post professional education courses shall be obtained at any of the following:

- (1) College or university degree programs accredited or approved by ACOTE;
 - (2) College or university degree programs accredited or approved by the Commission on Accreditation of Physical Therapy Education;
 - (3) Colleges or universities with Speech and Hearing Programs accredited or approved by the Council on Academic Accreditation; or
 - (4) Any pre-approved provider. To be approved by the Board the provider shall submit the following:
 - (A) A clear statement as to the relevance of the course to the advanced practice area.
 - (B) Information describing, in detail, the depth and breadth of the content covered (e.g., a course syllabus and the goals and objectives of the course) particularly as it relates to the advanced practice area.
 - (C) Information that shows the course and clinical instructor's qualifications to teach the content being taught (e.g., his or her education, training, experience, scope of practice, licenses held, and length of experience and expertise in the relevant subject matter), particularly as it relates to the advanced practice area.
 - (D) Information that shows the course provider's qualifications to offer the type of course being offered (e.g., the provider's background, history, experience, and similar courses previously offered by the provider), particularly as it relates to the advanced practice area.
- (b) Post professional training shall be supervised and obtained at either of the following:
- (1) Clinical facilities affiliated with such colleges and universities described in subsection (a) or
 - (2) Hospital or community based clinical training programs.
- (c) Supervision during post professional training shall be provided consistent with Board regulations in effect at the time of the supervision. Supervision does not require that the supervisor be continuously at the side of the trainee.
- (d) On or after January 1, 2004 or the date on which these regulations take effect, whichever is first, post professional education and training must be completed within the five years immediately preceding application for certification in the advanced practice area.

§ 4155. Advanced Practice Certification

In order to provide the advanced practice services set forth in Code section 2570.3(d), an occupational therapist shall apply for and receive certification from the Board.

- (a) To apply for certification, an occupational therapist shall submit a written portfolio reflecting the requirements set forth in this article for the advanced practice certification sought.
- (b) The portfolio must contain the following:
 - (1) Documented proof of attendance and completion of each course.
 - (2) Evidence of the number of contact hours completed for each course.
 - (3) Outline or syllabus of each course.
 - (4) Resume or credentials of each instructor.
 - (5) Statement of Learning for each course. Such statement shall reflect what the occupational therapist learned, how that knowledge would be applied in his or

her practice, how it changed his or her practice or validated it, and how the occupational therapist became more competent because of the course.

- (6) Verification of completion of supervised on the job training, clinical internship or affiliation reflecting the nature of the training and the number of hours. Such verification must be signed by the supervisor(s) under penalty of perjury.
- (c) Occupational therapists providing advanced practice services on or before December 31, 2003 may seek certification in any advanced practice by submitting a portfolio that documents education and training substantially equivalent to the requirements of subsections (a) and (b) above. An applicant under this subsection may provide any other information, including experience, relevant to his or her competency to show substantial equivalency with the advanced practice requirements.

 - (1) An advanced practice application under this subsection must be postmarked no later than six months following the effective date of these regulations.
 - (2) An applicant under this subsection certified by the Hand Therapy Certification Commission as of December 31, 2003 shall qualify for advanced practice certificates in hand therapy and physical agent modalities.